CONSTITUTIONAL ROYALISM AND THE SEARCH FOR SETTLEMENT, *c.* 1640–1649

DAVID L. SMITH
Selwyn College, Cambridge

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Introduction: themes, debates, sources

I

'Constitutional Royalism' is one of the most familiar yet least often examined of all the political labels found in the historiography and literary criticism of the English Revolution. The term is most commonly used to describe a group of moderate Royalists who became prominent among Charles I's advisers in 1641–2. The leading exponents are usually identified as Edward Hyde, Viscount Falkland and Sir John Culpepper; and their ideas are thought to revolve around a concept of limited monarchy which ruled under the law, and a wish to preserve the existing structures of the Church of England. These were the people who guided Charles I's more conciliatory actions in 1641–2, and whose political attitudes found their classic expression in the King's *Answer to the XIX Propositions*. Neither historical nor literary scholars appear to doubt the *existence* of Constitutional Royalism as a phenomenon during the twelve months before the outbreak of the English Civil War.[1]

But all this in turn prompts two further questions. First, how numerous and how co-ordinated were the Constitutional Royalists in 1641–2? We as yet know very little about whether there were other figures of similar outlook beyond the three leading characters, or about the extent to which they operated as a coherent political grouping. Did they rally behind a firm set of policies and propositions, or do their contrasting emphases make it inappropriate to lump them together into a single group? Second, whatever became of these people after 1642? How far were their attitudes applicable to the politics of the Civil War period, and what was their role in successive peace negotiations? Was there such a thing as Constitutional Royalism during the remainder of the 1640s, or was it purely a transient product of

[1] See especially B. H. G. Wormald, *Clarendon: Politics, History and Religion, 1640–1660* (Cambridge, 1951; repr. 1989), pp. 3, 81, 122, 150, 154; Corinne Comstock Weston, 'The theory of mixed monarchy under Charles I and after', *EHR*, 75 (1960), 426–43, at 430; John Morrill's own introduction, in *Reactions to the English Civil War, 1642–1649*, ed. John Morrill (1982), p. 7; John M. Wallace, '*Coopers Hill*: the manifesto of parliamentary royalism, 1641', *ELH, A Journal of English Literary History*, 41 (1974), 494–540, at 534.

1641–2? None of these questions has so far been addressed by historians, and the aim of this monograph is to offer some answers to them.

We immediately face a serious problem of taxonomy. How do we decide who should be classified as a Constitutional Royalist? The obvious danger is that of deciding in advance who should be in our sample, analysing their beliefs, and then using the results to define Constitutional Royalism. Such an argument would be tautological. There is also the hazard of imposing an artificial construct upon the historical reality. Since the term was not used by contemporaries, there is the problem of projecting an anachronistic category back on to the evidence. Finally, we must tread a delicate path between teasing out the ideas and attitudes which people held in common, and transforming them into a monolithic group. It is important to remain sensitive to their similarities without losing sight of their differences.

With all this in mind, I have used two rules of thumb for including an individual in this study. Both of these are as close to objective tests as I can devise. They seem to me to minimise the role of the observer – which inevitably distorts the view of the past under observation – and to work with the grain of the surviving evidence. The first criterion is prominence in royal counsels during the twelve months before the *Answer to the XIX Propositions*, and especially between January and August 1642. The most important of these figures were the Marquess of Hertford, the Earl of Southampton, Lord Seymour of Trowbridge, Viscount Falkland, Sir John Culpepper, Sir John Strangways and Edward Hyde. This list includes the three figures usually identified as the leading theorists of Constitutional Royalism on the eve of the Civil War, together with several other political heavyweights who have received rather less attention. All of these figures were close to Charles I during the period which culminated in the *Answer*, and many of them held senior offices.

My second criterion has been a frequent and prominent involvement on the King's behalf in successive peace negotiations throughout the period 1642–8. This is a rather more problematic litmus test. If we included every Royalist who ever acted as a peace commissioner, or who played an occasional role as a go-between, or who claimed to desire peace, we would end up with an immensely long list. Furthermore, the list would include people like Sir John Berkeley and John Ashburnham, who facilitated negotiations in 1647 but who had earlier been willing to contemplate violence against Parliament in a way which clearly sets them apart from men like Hyde, Falkland and Culpepper. People such as Berkeley and Ashburnham cannot straightforwardly be classified as Constitutional Royalists. Instead, we can identify one large cluster of individuals who regularly participated in negotiations, or urged the King to offer conciliatory terms, and several others who had splintered off from the coalition of 1641–2. The larger group

comprises six moderate Royalist nobles who often acted as a team: the Duke of Richmond, the Marquess of Hertford, the Earls of Southampton, Lindsey and Dorset, and Lord Seymour. By 1646 another, smaller group had emerged which included Culpepper. But by this time he was working closely with two figures who had earlier been implicated in the first Army Plot, and whose subsequent commitment to royal concessions appears to have been for mainly tactical reasons: Henry Jermyn and John Ashburnham. We will need to assess how far this represented a change of attitude on Culpepper's part. During 1646–8 these two circles seem to have operated largely independently of each other, the former remaining in England, the latter with the exiled court in France. Hyde, it seems, became an isolated figure during the later 1640s, and lived quietly on Jersey, preoccupied with writing his *History*. Between them, these two criteria give us a sample of ten figures who may tentatively be classed as Constitutional Royalists: Hyde, Falkland, Culpepper, Seymour, Strangways, Hertford, Richmond, Southampton, Dorset and Lindsey. I make no claim that this list includes *all* those who could possibly be classified as Constitutional Royalists, or even that it represents a distinct and self-contained group. But I do think it comprises the leading exponents of an identifiable set of attitudes and priorities.

We will see throughout this book that the activities and alignments of these people fluctuated enormously during the decade of the Civil Wars. Nothing could indicate more clearly that we are examining political processes before 'the age of parties'. For much of the time, they were, so to speak, *aligned* but not *co-ordinated*. They shared extensive areas of common ground, while retaining considerable differences of emphasis. The constellations of people who worked closely together mutated constantly over time. Yet these ten figures retained a similar outlook throughout this period, a fact which is underlined by the appointment of all those who survived to senior public office in 1660.[2] To take either a narrower or a broader sample of individuals would tend to obscure this very important element of continuity within royal counsels.

II

The classification of individuals is not the only problem we face. The name 'Constitutional Royalism' itself requires some further exploration and justification. At first sight, it looks like a contradiction in terms. Is it possible to be loyal to both a monarch and a constitution? Do not the ideas of monarchy – which emphasise the rule of an individual – and of

[2] See below, pp. 295–7.

constitutionalism – with their emphasis on political and legal norms which transcend the individual – naturally pull in opposite directions? Logically, this may well be true; but two points should immediately be made to set this paradox in its proper historical perspective.

First, the notion of 'constitutional monarchy' has been a recurrent theme in England's political development. (For my use of the term 'England' see my note on p. xvi.) Even today, this remains England's official form of government. The monarchy, though bound by constitutional conventions, retains surprising importance, and it has been convincingly argued that its contemporary political strength 'does not lie in the power it has, but in the power that it denies to others'.[3] Historically, the really remarkable feature of the English monarchy has been its ability to adapt to changing political contexts, and to play convincing roles within wholly contrasted constitutional frameworks. Since the high Middle Ages, it has displayed a versatility of monarchical form in a way which is almost unique. This exceptionally long and distinctive pattern of development demonstrates the viability of ideas of 'constitutional monarchy' and gives them a compelling claim to be studied. The resilience of such ideas is shown particularly vividly by their survival during the years of the English Revolution, and their resurgence after the Restoration.

This leads us neatly into the second point. The belief that royal and constitutional patterns of government are logically opposed is very much a modern one. It is one aspect of the ideas of the Enlightenment, and was reinforced in the later eighteenth century by the American and French Revolutions. However, I shall argue in this book that this belief was virtually unknown in early seventeenth-century England. Indeed, it was axiomatic for most people in the decades before the Civil Wars that the monarch and the constitution were integrally and symbiotically bound together. The famous commonplace of the 'body politic', with the monarch as head and the nation as body and members, illustrates this perfectly. Today, we instinctively analyse politics in terms of checks and balances, in terms of one authority *limiting* another. It takes a real effort of imagination to empathise with people who assumed that politics was an harmonious process in which different sources of authority complemented and reinforced each other. This outlook was among the principal hallmarks of the Constitutional Royalists of the 1640s, and meant that they never found their beliefs self-contradictory.

Although many of its underlying assumptions had long-established antecedents, the emergence of Constitutional Royalism took place within a very specific political and ideological context. It was designed to answer a

[3] This aphorism is Antony Jay's, quoted in Anthony Sampson, *The Changing Anatomy of Britain* (2nd edition, 1983), pp. 6–7.

particular problem posed by a particular king: Charles I. Chapter 2 will analyse the early Stuart constitution and the contrasting ways in which James I and Charles I managed it. It will argue that Charles I's personality and political style were peculiarly likely to expose the latent tensions within the constitution and to upset the delicate balance of the Church. His passion for order and definition proved disastrous in a system which depended on the maintenance of grey areas, and caused serious divisions within the political nation by the end of the 1630s. In particular, they raised the question of whether the constitution needed to be defined in order to protect it from a monarch like Charles I, or whether such definition would alter its fundamental nature.

Constitutional Royalism emerged during 1641–2 as one of several possible answers to that question. Its basic premises were that royal powers and constitutional government were inherently compatible; that Charles I could be trusted to rule legally and to abide by the safeguards against non-parliamentary government erected in 1640–1; that limitations on his power to choose advisers and military commanders were antithetical to monarchy; and that the existing structures of the Church of England were an intrinsic part of the constitution which should be preserved from 'root-and-branch' reform. Chapter 3 examines the early careers of our sample of ten Constitutional Royalists. It traces their activities during the 1620s and 1630s, and explores whether we can pinpoint any activities and beliefs which serve as predictors of their Constitutional Royalism. Chapter 4 then charts how they emerged as Royalists during the early 1640s. This chapter stresses the importance of attitudes towards the rule of law and the future of the Church in persuading these people to rally behind the King. It concludes with a discussion of why moderate Royalists and moderate Parliamentarians were unable to coalesce and form a united middle ground during the summer of 1642.

After the outbreak of the Civil War, the Constitutional Royalists are best defined as those among the King's followers who consistently sought to further peace negotiations with Parliament. This was not necessarily incompatible with senior military command; nor did it ever entail a preference for unconditional surrender; it primarily involved a readiness to keep talking. The core of this book consists of a detailed analysis of the role of Constitutional Royalists in these successive negotiations. Chapter 5 provides a chronological outline of the talks, and looks at both the formal treaties at Oxford (1643), Uxbridge (1645), Newcastle (1646), over the *Heads of the Proposals* (1647), and at Newport (1648), and also at the various informal contacts between the King's followers and Parliament during the years of Civil War. Chapter 6 then identifies seven crucial issues which impeded the progress of these negotiations: the nature of religion

and church government; the command of the militia; the powers and privileges of Parliament; the relationship between royal authority and the common law; the choice of royal advisers and the composition of the Privy Council; the fate of Royalist 'delinquents'; and the question of the King's 'honour and conscience'. It will look at each sticking-point in turn, discussing whether there was a Constitutional Royalist position on it, and trying to explain why agreement with Parliamentary negotiators proved so elusive. Part Two of the book concludes with an examination of eight writers whose publications during the 1640s offered a theoretical justification for the political activities of the Constitutional Royalists. Their ideas will be contrasted with those of other writers who defended the concept of absolute monarchy.

Part Three seeks to locate Constitutional Royalism within a longer timeframe. It begins by telling the story of what happened to the various Constitutional Royalists during the Interregnum (chapter 8). I shall suggest that the dominant note – expressed in poetry as well as in political practice – was one of quiescence and withdrawal rather than any attempt to subvert the republican régimes. In the following chapter I draw the camera lens out to an even wider angle, and examine the legacy of Constitutional Royalism after 1660. This is inevitably a broader, more speculative section, and argues that Constitutional Royalism was a crucial influence upon the Restoration settlement. It shaped the government's policies during the 1660s, and made an important contribution to the outcome of both the Exclusion Crisis and the Glorious Revolution. In a looser sense, the values and attitudes characteristic of Constitutional Royalism may be traced well into the eighteenth century, and they thus assisted the gradual evolution of England's modern constitutional monarchy. The final chapter draws together the threads of the argument and summarises the significance of Constitutional Royalism for our view of the English Civil Wars, and of English political history in general.

III

Let us now turn to examine the current state of research on the Royalist party during the 1640s. Conrad Russell has recently drawn attention to the relative paucity of work on the King's followers in the English Civil Wars: 'It is the English Royalists, not the English Parliamentarians, who are the real peculiarity we should be attempting to explain ... The intellectual and social antecedents of Royalism have not yet been studied with the care which has for many generations been lavished on the Parliamentarians, and the result is that we do not know nearly as well what continuities

informed Royalism as we do what continuities informed its opponents.'[4] This book cannot claim to fill that lacuna, but instead seeks to reconstruct the development of one particular strand of Royalism. That strand is not entirely virgin territory, and along the way we will engage with a number of historiographical controversies.

In general, work on Constitutional Royalism over the last forty years can be divided into two categories. First, we have a series of books and articles which locate it within the context of theories of mixed government. Perhaps the most influential of these is Margaret Judson's *The Crisis of the Constitution*.[5] This presents a fine analysis of several key Royalist writers of the Civil War years, whose work I address in chapter 7.[6] The book is excellent in charting how hitherto blurred issues became clear during the 1640s. However, it does tend to see the reigns of James I and Charles I as a monolith, and therefore to play down the significance of 1625 as a turning-point.[7] As will become clear from chapter 2, I believe it would be hard to exaggerate the significance of the contrasts between James I and Charles I. The distinctiveness of the Caroline period emerges with rather more definition in the work of Corinne Comstock Weston.[8] This is particularly helpful because it places Constitutional Royalism within an immensely long historical context, and traces its influence right up to the Great Reform Act of 1832. 'Mixed monarchy' ideas are seen to have had a long and important legacy in English politics. Weston's writings also contain a very detailed analysis of that key document in the evolution of Constitutional Royalism, the King's *Answer to the XIX Propositions*.[9] The *Answer* is now one of the best understood expressions of the Constitutional Royalist outlook, for it also forms the subject of the greater part of Michael Mendle's *Dangerous Positions*.[10] This provides the most authoritative account to date of the composition of the *Answer*, and also explains

[4] Russell, *FBM*, pp. 526, 532.

[5] Margaret Atwood Judson, *The Crisis of the Constitution: An Essay in Constitutional and Political Thought in England, 1603–1645* (New Brunswick, NJ, 1949).

[6] *Ibid.*, pp. 385–436.

[7] E.g. this synoptic statement: ' ... the reader of this book will recall the fact that during the period from 1603 to 1640 royalist policy and thought had been aggressive': *ibid.*, p. 385.

[8] See especially Weston, 'Theory of mixed monarchy'; *English Constitutional Theory and the House of Lords, 1556–1832* (1965), especially pp. 23–43; 'England: ancient constitution and common law', in *The Cambridge History of Political Thought, 1450–1700*, ed. J. H. Burns and Mark Goldie (Cambridge, 1991), pp. 374–411; Weston and Janelle Renfrow Greenberg, *Subjects and Sovereigns* (Cambridge, 1981).

[9] The text of the King's *Answer to the XIX Propositions* may be found in Rushworth, IV, 725–35.

[10] Michael Mendle, *Dangerous Positions: Mixed Government, the Estates of the Realm, and the Making of the Answer to the XIX Propositions* (Alabama, 1985), especially pp. 5–20, 171–83.

its relationship to contemporary estates theory. On the evolution of Royalist thought after 1642, however, older work has retained its value remarkably well. In particular, John Sanderson's recent study of 'the philosophical basis of the English Civil War'[11] complements – but does not supersede – the survey of early seventeenth-century political thought by J. W. Allen, although sadly the latter only goes up to 1644.[12] Richard Tuck's new account marks an important departure from previous approaches because it locates Royalist writings within the context of European political theory and moral philosophy.[13] We also have two excellent studies of the thought of John Bramhall;[14] and a valuable analysis of the intellectual traditions which lie behind Royalist thought.[15] All in all, then, there is a sizeable corpus of work upon which to build when reconstructing the emergence of Constitutional Royalism as a political ideology.

We know far less about how that ideology was translated into practice. There is no detailed account of the peace negotiations of the 1640s from a Royalist perspective. Instead, all we have is a tightly focused debate about the composition of the Royalist party at Oxford. Ian Roy began this in the early 1960s with his doctoral thesis on 'the Royalist army in the first Civil War', and an important article derived from it.[16] Roy suggested that three main factional groupings had emerged by early 1644: 'Swordsmen', 'Courtiers' and 'Civilians'.[17] He saw Queen Henrietta Maria, Lord George Digby and John Ashburnham as among the consistent opponents of compromise, but argued that the initiative gradually passed to the 'Swordsmen', led by Prince Rupert.[18] In 1981, Ronald Hutton modified this picture by identifying the three principal Royalist factions as 'moderates' (led by the Earls of Hertford, Southampton and Lindsey); 'ultra-Royalists' (especially Digby, Ashburnham, Henry Jermyn and Henry Percy); and a group of military hard-liners which coalesced around Prince Rupert.[19] Hutton suggested that the repeated failure of peace negotiations undermined the position of the moderates, and gave the initiative to an 'ultra-

[11] John Sanderson, *'But the People's Creatures': The philosophical basis of the English Civil War* (Manchester, 1989), pp. 38–85.

[12] J. W. Allen, *English Political Thought, 1603–1660*, vol. I: *1603–1644* (1938), 488–521.

[13] Richard Tuck, *Philosophy and Government, 1572–1651* (Cambridge, 1993), pp. 260–78.

[14] J. W. Daly, 'John Bramhall and the theoretical problems of Royalist moderation', *JBS*, 11 (1971), 26–44; John Sanderson, 'Serpent-Salve, 1643: the Royalism of John Bramhall', *Journal of Ecclesiastical History*, 25 (1974), 1–14.

[15] J. W. Daly, 'The origins and shaping of English Royalist thought', *Historical Papers/ Communications Historiques* (1974), pp. 15–35.

[16] I. Roy, 'The Royalist army in the First Civil War' (DPhil thesis, University of Oxford, 1963), especially pp. 78–96; 'The Royalist Council of War, 1642–6', *Bulletin of the Institute of Historical Research*, 35 (1962), 150–68.

[17] Roy, 'Royalist army', pp. 78–85. [18] *Ibid.*, pp. 86–96.

[19] Ronald Hutton, 'The structure of the Royalist Party, 1642–6', *HJ*, 24 (1981), especially 554–7, 562–3.

Royalist axis' consisting of the second and third groups. A few years later, James Daly challenged these arguments, and suggested that factional alignments among leading Royalists were never as clear cut as Roy and Hutton assumed.[20] Daly pointed out that moderates such as Hertford and Lindsey also held military commissions, while a 'hard-liner' like Digby did not automatically oppose all negotiations. Many of these points are very persuasive. However, it will be the argument of this book that the flexibility of individuals, and the fluidity of their factional loyalties, did not preclude the existence of distinct and separable attitudes towards the conduct of the Civil War. There was a consistent Constitutional Royalist *outlook*, even if the factional alignments of its exponents shifted during the course of the 1640s.

I have deliberately left the most important post-war work on Constitutional Royalism until last. Brian Wormald's *Clarendon* stands alone not just because of its extraordinarily subtle and perceptive reconstruction of Hyde's political and religious beliefs, but also because it remains the only attempt to bridge the gulf between Constitutional Royalism in theory and in practice. This was a study of Hyde both as a politician and as an historian. Many of Wormald's arguments have since become axiomatic to our view of the 1640s. He revealed the epistemological problems posed by Clarendon's *History of the Rebellion*, and the extent to which this work involved retrospective self-justification.[21] Above all, he demonstrated that many Royalists also remained in a broad sense 'Parliamentarians', while a decision to remain at Westminster did not necessarily imply a hatred of monarchy. The categories 'Royalist' and 'Parliamentarian' were thus shown to be much less watertight than the 'Whig' historians supposed. Unfortunately, Wormald's lead was never followed up. We have no collective study of Constitutional Royalism during the Civil War, let alone biographies of its leading exponents. Moderate Royalists have consistently received less attention than the 'Cavaliers' and 'Swordsmen'. Apart from Wormald's study, there are only two post-war biographies of Clarendon.[22] Interest in Falkland focuses on his leadership of the Great Tew circle, and we have had no biography of him since 1940.[23] This compares with four biographies of Prince Rupert and one of Hopton.[24] In recent years, several

[20] J. W. Daly, 'The implications of Royalist politics, 1642–6', *HJ*, 27 (1984), 745–55.

[21] On the reliability of the *History*, see also Ronald Hutton, 'Clarendon's *History of the Rebellion*', *EHR*, 97 (1982), 70–88.

[22] R. W. Harris, *Clarendon and the English Revolution* (1983); Richard Ollard, *Clarendon and his Friends* (1987). Ollard is strongest for the period after 1649.

[23] Kurt Weber, *Lucius Cary, Second Viscount Falkland* (New York, 1940). On the Great Tew circle, see especially Hugh Trevor-Roper, *Catholics, Anglicans and Puritans* (1987), pp. 166–230.

[24] B. E. Fergusson, *Rupert of the Rhine* (1952); G. M. Thomson, *Warrior Prince: Prince Rupert of the Rhine* (1976); P. Morrah, *Prince Rupert of the Rhine* (1976); M. Ashley,

books on the recruitment, membership and organisation of Royalist armies have also been published.[25] By contrast, there are no biographies of figures such as Richmond, Hertford, Southampton, Lindsey, Seymour, Strangways and Culpepper.[26] We also lack an account of their collective involvement in peace negotiations. In general Charles's followers have been less fully studied than those who remained with Parliament.[27] Wormald's splendid book stands curiously alone on the historiographical landscape, and it deserves to have stimulated rather more studies in the same area. I hope that this monograph may go some way towards redressing the imbalance.

IV

Lastly, a word about the primary sources on which this study is based. Broadly, these may be divided into five categories. First, there are the reminiscences, correspondence and personal papers of our leading protagonists. By far the most famous memoirs are of course Clarendon's *History of the Rebellion* and his autobiographical *Life*.[28] Despite all the problems of – to put it kindly – a less than perfect memory, these remain a marvellous evocation of Hyde's values and frame of mind, as well as an unrivalled source of information about the shifting relationships between the King's followers. He gives beautiful pen-portraits of all the main Royalists.[29] These works are complemented by the voluminous collection of Hyde's papers, covering the years from 1608 to 1689, now in the Bodleian Library.[30] A selection from these was published in the eighteenth century, but often

Rupert of the Rhine (1976); and F. T. R. Edgar, *Sir Ralph Hopton: The King's Man in the West, 1642–52* (Oxford, 1968).

[25] Most notably P. R. Newman, *Royalist Officers in England and Wales, 1642–1660: A Biographical Dictionary* (1981); Ronald Hutton, *The Royalist War Effort, 1642–1646* (Harlow, 1982); and J. Malcolm, *Caesar's Due: Loyalty and King Charles, 1642–6* (1983).

[26] For Dorset's career during the 1640s, see David L. Smith, '"The more posed and wise advice": the fourth Earl of Dorset and the English Civil Wars', *HJ*, 34 (1991), 797–829; and 'The political career of Edward Sackville, fourth Earl of Dorset (1590–1652)' (PhD thesis, University of Cambridge, 1990).

[27] This disparity is evident in Gardiner, *Civil War*, and has not been corrected since. We have major studies of political developments at Westminster during the 1640s – such as David Underdown, *Pride's Purge: Politics in the Puritan Revolution* (Oxford, 1971); and Blair Worden, *The Rump Parliament, 1648–53* (Cambridge, 1974) – and of the Parliamentarian armies, especially M. A. Kishlansky, *The Rise of the New Model Army* (Cambridge, 1979). It would also be fair to say that the majority of the county studies published during the 1960s and 1970s have examined Parliamentarian rather than Royalist areas.

[28] Clarendon, *History*; *Life*.

[29] Cf. M. W. Brownley, *Clarendon and the Rhetoric of Historical Form* (Philadelphia, 1985), pp. 145–85.

[30] Bodl. Lib., MSS Clarendon 1–93 form the so-called Clarendon State Papers.

there is no substitute for going back to the originals.[31] Hyde became an historian, and realised the importance of preserving for posterity the materials generated by his career. But he was not entirely alone in this respect. Dorset's papers contain extensive correspondence relating to Royalist politics during the 1630s and 1640s.[32] The smaller collections of Strangways (his letters at the Dorset Record Office, and a vitally important commonplace book in the Beinecke Library at Yale),[33] and the scattered papers of the Seymours are particularly illuminating.[34]

Second, there are a number of diaries, memoirs and collections of papers by other important figures which throw floods of light on Constitutional Royalism. Of those in print, the diary of Sir William Dugdale and Sir Edward Walker's *Historical Discourses* are especially informative about politics at Oxford during the first Civil War.[35] Walker was secretary of the King's Council of War, and many of his working papers survive, although this archive is exceptionally scattered.[36] The very important papers of Sir Edward Nicholas, Secretary of State from November 1641, are now contained in three separate deposits, in the British Library, at Guildford and at Christ Church, Oxford.[37] Finally, the Coke correspondence – which has recently become available in the British Library[38] – tells us a great deal about the coalescence of Constitutional Royalists around the King during the months preceding the outbreak of civil war.

The third category looks paradoxical: it consists of the sources relating to Parliament during the 1640s. But in fact these are indispensable for an accurate picture of Royalist politics and policies. The official *Journals* of the two Houses – and especially those of the House of Lords – print most of the formal papers exchanged during successive peace treaties. The majority of these can also be found in Rushworth's *Historical Collections*,

[31] *Clarendon SP.*

[32] These are mainly to be found in the Sackville, Bourchier and Cranfield sections of CKS, U 269 (Sackville MS).

[33] Dorset RO, D 124 (Fox-Strangways [Earls of Ilchester] MS); Beinecke Library, Yale University, Osborn MS b. 304 (commonplace book of Sir John Strangways).

[34] For the present study, the most important collections of Seymour material are: Longleat House, Warminster, Wiltshire, Seymour MS; Devon RO, Seymour of Berry Pomeroy MS, 1392 M/L16; and Wiltshire RO, Ailesbury MS, WRO 1300.

[35] *The Life, Diary and Correspondence of Sir William Dugdale*, ed. W. Hamper (1827); Edward Walker, *Historical Discourses* (1705).

[36] The main collections are BL, Add. MS 37998; Harl. MSS 6802–6804, 6851, 6852; Stowe MS 580; Bodl. Lib., MSS Ashmole 1110–1112, 1132; House of Lords RO, Historical Collection MS 65.

[37] BL, Egerton MSS 2533–2562 (many of which were published by the Camden Society in four volumes between 1886 and 1920); Surrey RO, Guildford Muniment Room, Bray Deposits 52/2/19, 85/5/2; Christ Church Muniment Room, Oxford, Evelyn Collection, Nicholas Box.

[38] BL, Add. MSS 64870–64924 (Coke MS, series I); Add. MSS 69868–69935 (Coke MS, series II); Add. MS 69936–69998 (Coke MS, series III).

although his thematic organisation of material into what John Morrill has called 'subject clusters' destroys any sense of chronological progression.[39] The *Journals* also tell us much about informal talks between the two sides: who acted as mediators, what terms were offered, and why they came to be rejected. These *Journals* must be supplemented by the many volumes of working papers generated by the Houses of Parliament during the 1640s, now among the so-called Main Papers in the House of Lords Record Office,[40] and also by the many private diaries kept by MPs.[41] The latter are critically important in uncovering how Constitutional Royalists converged in 1641–2, and why they ultimately felt impelled to leave Westminster. There are many discrepancies between them, and it is therefore difficult to know how closely they reproduce a speaker's original words. My policy throughout has been wherever possible to select passages recorded by more than one diarist – taking this to be a reasonably good indication that something analogous was once uttered – and then to cite the most lucid available version. Another helpful but still underused source are the papers of Speaker Lenthall, now among the Nalson and Tanner collections in the Bodleian Library.[42] These often cast important sidelights on political dynamics at Westminster, and also contain intriguing material about Royalist activities during the Interregnum. There is further important information to be gleaned from the various classes of State Papers in the Public Record Office, especially the State Papers Domestic and the papers of the Committee for Compounding with Royalist delinquents.[43]

Fourth, I have examined the main Royalist pamphlets and tracts of the Civil War period, and tried to assess how far their ideas influenced – and were informed by – political practice. While writers such as Maxwell, Hudson, Filmer and Hobbes may be classified as 'absolutist' Royalists with reasonable confidence, the positions of several others appear to resemble that of our Constitutional Royalists. The most prolific of these were John Bramhall, Sir Charles Dallison, Dudley Digges the younger, Henry Ferne, James Howell, David Jenkins, Jasper Mayne and Sir John Spelman; I analyse some of their principal works written during the 1640s in chapter 7.

Lastly, I make some use throughout this study of the various newsbooks published during the Civil Wars in both London and Oxford. These are a

[39] John Rushworth, *Historical Collections of private passages of State* (8 vols., 1680–1701); John Morrill, *The Nature of the English Revolution* (Harlow, 1993), p. 285, n. 1.

[40] MP.

[41] The main printed diaries of the Long Parliament are: D'Ewes (N); D'Ewes (C); *PJ*, I–III; and *Two Diaries*. The main MS diaries are found listed in the Bibliography, under British Library and Bodleian Library.

[42] Bodl. Lib., MSS Dep. c. 152–76 (Nalson MS); MSS Tanner 51–66 (letters and papers).

[43] PRO, SP 16 and 23 respectively.

very problematic source. Their purpose was often to persuade as much as to inform, and many of their statements can be shown from other documents to be distorted or false. None the less, they do tell us something about how the two sides wished to be seen – this is after all the main purpose of propaganda – and they sometimes contain information which cannot be gleaned anywhere else. Of the Royalist newsbooks, the most valuable is *Mercurius Aulicus*, written by Sir John Berkenhead. Its combination of reportage, gossip and speculation makes it a useful source. However, it seems essential when consulting both this and the London newsbooks not to place weight on their statements unless they are corroborated by other contemporary evidence.

All these classes of primary material really come into their own after 1640, and some only begin during the years of civil war. But if we are to interpret them correctly, we must first examine the state of England in the early seventeenth century. For only then can we understand the broad context within which Constitutional Royalism emerged.